

Seeking State Solutions: Forest Health, Wildfires, and Habitat Protection

Testimony of Michael McHugh – Aurora Water

May 2, 2013, Denver, Colorado

Co-Chairmen Pearce and Lummis, members of the Congressional Western Caucus, thank you for the opportunity to testify. My name is Michael McHugh, and I am a geologist by training and currently serve as the Permitting Coordinator for Aurora Water.

Aurora Water provides drinking water, stormdrain and sewer service to over 335,000 residents of Aurora, Colorado. Our mission is to enhance and protect the quality of life for Aurora citizens by providing quality water, sewer and stormdrain services in a manner that balances social, environmental and economic needs.

There are three points I would like to make:

First, protecting the National Forests from devastating wildfires is critical for the success of our mission. Unfortunately, the expansion of wilderness and roadless areas impede or prohibit active management of our forested watersheds;

Second, burdensome and lengthy federal environmental reviews limit the ability to effectively manage wildfires and our watersheds; and;

Finally, by working together many disparate stakeholders can develop a new paradigm for the protection and development of the true green infrastructure.

As members of the Caucus are aware, wildfires have a tremendous negative impact on western water supplies, damaging water infrastructure such as conveyances and storage reservoirs. Indeed, the Front Range of Colorado's municipal water supplies suffered greatly as a result of flooding, erosion and sediment deposition after the 1996 Buffalo Creek Fire, 2000 Bobcat Fire, and 2002 Hayman and Schoonover fires. The Buffalo Creek fire and the subsequent debris flows from flash floods deposited mud, ash and decomposed granite in Strontia Springs Reservoir, requiring significant rehabilitation efforts. Moreover, the storage capacity of the reservoir was reduced by 15% in the months following the fire.

The Hayman Fire burned 138,000 acres of forest, and destroyed 133 homes and 466 outbuildings at an estimated cost of \$238 million. It also damaged Denver Water's

Cheesman Reservoir, and took Denver Water more than a year to obtain a U.S. Army Corps of Engineers permit to construct an emergency sediment dam on the Turkey Creek tributary inflow.

In July 2007, the Pinchot Institute for Conservation released an assessment report entitled, “Protecting Front Range Forest Watersheds from High-Severity Wildfires.” The study concluded that climate factors and forest conditions place Front Range source watersheds at high risk from severe wildfires, threatening water supplies and reservoir operations due to erosion and flood damage. Specifically, the report found that: “[w]ildfires are not only a threat to water supplies but . . . the sediment transport and organic debris flows that often follow can be even more problematic. If watersheds are not protected through mitigation projects such as fuelbreaks, then sediment and organic debris can destroy reservoirs as a functional part of the water supply system.”

After the Pinchot Report was issued, in September 2007, major Colorado water users, including Aurora Water, formed a work group to develop and implement a strategy to protect critical Front Range watersheds from wildfires. The work group adapted and refined the methods used by the Pinchot Institute for Conservation to assess individual watersheds within a ten county area of the Front Range. The work group along with other interested stakeholders including smaller, local water providers, watershed protection groups and local landowners also reviewed additional information and created a Geographic Information System (GIS) template for watershed assessments to identify and prioritize critical watersheds that supply community or municipal water that are in need of forest health intervention.

The lessons learned from these fires and subsequent debris flows revealed that there are a variety of barriers – both natural and man-made, that stand in the way of efforts to protect our forests from these threats. Natural barriers include forest and soil conditions, the physical condition of the watershed, and the sequence and magnitude of rain falling on the burned area.

Man-made barriers take the form of overly burdensome rules, regulations, and laws. For example, the addition of new wilderness and upper tier roadless areas in the Southwest, or here in Colorado, has the potential to negatively impact the United States Forest Service’s ability to effectively manage those areas and mitigate the continuing degradation of forest health due to, among other things, past fire suppression policies and the recent infestation of Mountain Pine Bark Beetles. These conditions have left many Colorado forests overgrown with an overabundance of underbrush and unhealthy tree densities (i.e., fuels), which are the main source of “mega-fires” such as the 2012 Waldo Canyon fire, the worst fire in our state’s history. The Waldo Canyon fire burned over 18,000 acres and destroyed nearly 350 homes in Colorado Springs. These excessive fuels allow fires to grow rapidly by providing flames a path from the ground to the top, or

“crown”, of the trees where oxygen and winds allow the fire to expand or “run” faster than it might otherwise.

Congress and the Administration need to recognize the policy of setting aside wilderness and roadless areas is a poor substitute for active management. Simply declaring areas as “roadless” or “wilderness” and then doing nothing to properly manage and protect them from fires and other natural hazards in the name of “preservation” is not management, but rather abdication of our responsibility to protect our forests—the source of water for millions of people. Such policies are counterproductive and, ironically, could result in even greater destruction. Therefore, the federal government needs to consider what impacts the expansion of additional wilderness and roadless areas will have on the ability of local communities, municipalities, and utilities to prevent and mitigate the impacts of wildfires.

As an alternative to wilderness or roadless declarations, Congress could develop a narrowly defined “Watershed” designation that, while protecting many of the elements of a “Wilderness” protection, would allow for active management to protect our nation’s water supplies.

Moreover, the federal environmental review process associated with wildfire mitigation efforts needs to be streamlined. Much of the work required to prevent or mitigate the impacts of wildfires is delayed by a lengthy application of the National Environmental Policy Act (NEPA) process, frequently taking several years to complete the work necessary to protect reservoirs after a sudden weather or fire event. Permits are generally required from federal agencies such as the U.S. Army Corps of Engineers and the U.S. Forest Service. In order to adequately respond to the emergency, permits are required immediately, but can take more than a year to secure, even when issued on an “expedited basis.” This is unacceptable and unnecessarily puts watersheds at risk. Congress needs to take action to expedite the permitting process so that our forests – and by extension our water reservoirs and supplies – can be protected.

These forested watersheds of the American West provide the source water for most of the region’s cities and farms, but the vital role of this natural capital is ignored or undervalued in most traditional economic analyses. Water utilities, as well as federal and state agencies, are beginning to appreciate that restoration and retention of these watersheds are critical for the West’s water security, especially in light of climate variation. This will require ambitious initiatives, along with new funding mechanisms to underwrite these activities.

A central challenge is making the fiscal and political case for investing watershed restoration and protection. This can and should be done in a collaborative process involving the all of various stakeholders. As Denver Water, Aurora Water and the City

Santa Fe have already demonstrated, utilities and municipalities can and are willing provide funding to federal land managers when a joint plan of action is developed.

The West needs a broad range of agencies and stakeholders to continue their collaboration efforts to better understand and communicate key information about the values at risk, the costs of inaction, and ways to respond equitably and sustainably to the challenges facing their watersheds. This cannot be a top down approach, with Congress or other federal agencies trying to exact fees from utilities or other users of public lands.

In conclusion, wildfires can and do cause tremendous harm to our watersheds. The federal government should not exacerbate these impacts by creating more wilderness areas without allowing for active management aimed at reducing the risk of wildfires. Nor should the federal government require unnecessarily onerous environmental reviews – especially when doing so will put our watershed and water infrastructure at further risk. Collaboration and working together for the common good, can work when the parties understand the dire consequences of a failure to act.

Thank you again for the opportunity to testify, and I will be glad to answer any questions you may have.